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Environment and Human Rights: A Special Focus on India

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Abstract

The interrelationship between environmental protection and human rights has become a central concern in contemporary legal, political, and developmental discourse. An ecologically balanced and healthy environment is increasingly acknowledged as a prerequisite for the effective enjoyment of fundamental human rights, including the rights to life, health, livelihood, food, water, and human dignity. Over the past several decades, India has witnessed the gradual integration of environmental concerns into its constitutional framework, legislative policies, and judicial decision-making processes. Through an expansive interpretation of Article 21 of the Constitution, the Supreme Court of India has recognised the right to a clean and healthy environment as an integral component of the right to life. Against this backdrop, the present paper examines the conceptual and normative relationship between environment and human rights, traces the evolution of environmental rights in international and Indian legal frameworks, and analyses the constitutional, legislative, and judicial mechanisms developed for environmental protection in India. The study also explores contemporary environmental challenges and their implications for vulnerable communities. It argues that environmental sustainability, intergenerational equity, and environmental justice are essential foundations for the effective realization of human rights in India and for achieving long-term sustainable development.

Keywords: *Environment, Human Rights, Article 21, Environmental Justice, Sustainable Development, India, Constitutional Law.*

Introduction

The relationship between human beings and the natural environment is both fundamental and enduring. Human survival, economic development, and social well-being depend upon the availability and sustainability of natural resources such as air, water, forests, land, and biodiversity. Ecological systems provide essential services that support life and contribute to public health, food security, and economic stability. However, the unprecedented pace of industrialisation, urbanisation, technological expansion, and population growth over the past century has exerted immense pressure on natural ecosystems. As a result, environmental degradation has emerged as a global concern, manifesting in the form of climate change, air and water pollution, deforestation, depletion of natural resources, biodiversity loss, and increasing environmental disasters.

The adverse consequences of environmental degradation extend far beyond ecological concerns and directly affect the enjoyment of basic human rights. Environmental harm can undermine access to clean water, adequate food, health care, housing, and sustainable livelihoods, particularly for vulnerable and marginalised communities. Consequently, the protection of the environment is no longer viewed merely as a matter of conservation or resource management; it is increasingly recognised as an essential prerequisite for the realization of human rights and human dignity. This growing recognition has contributed to the emergence of a rights-based approach to environmental governance at both national and international levels.

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The linkage between environmental protection and human rights gained significant momentum during the latter half of the twentieth century through international declarations, treaties, and judicial developments. Increasing awareness of the human consequences of environmental degradation led to the recognition that a safe, clean, healthy, and sustainable environment is indispensable for the effective enjoyment of fundamental rights. As a result, environmental rights have gradually evolved as an important component of contemporary human rights discourse, influencing legal systems and public policies across the world.

In India, environmental protection has acquired a distinctive constitutional and legal character. Although the Constitution of India did not originally contain an explicit fundamental right to a healthy environment, subsequent constitutional developments and judicial interpretation have significantly expanded the scope of environmental rights. Constitutional provisions such as Articles 48A and 51A(g), introduced by the Forty-Second Constitutional Amendment, reinforced the State's responsibility and citizens' duty towards environmental protection. More importantly, the Supreme Court of India, through a series of landmark judgments, has interpreted the right to life guaranteed under Article 21 to encompass the right to a clean, healthy, and pollution-free environment. This judicial approach has transformed environmental protection from a policy objective into an integral aspect of constitutional governance and human rights protection.

This paper examines the evolving relationship between environment and human rights with particular reference to India. It analyses the conceptual foundations of environmental rights, traces their development in international and domestic legal frameworks, evaluates the constitutional and judicial approaches adopted in India, and explores contemporary environmental challenges that continue to affect the realization of human rights. The study argues that environmental sustainability and environmental justice are indispensable to the protection of human rights and to the pursuit of equitable and sustainable development in India.

Meaning and Concept of Environment and Human Rights

Environment

The concept of the environment encompasses the totality of natural and human-made surroundings that sustain life and influence human existence. It includes natural resources such as air, water, land, forests, rivers, wildlife, biodiversity, and ecological systems, as well as the complex interactions among them. The environment is not merely a collection of physical resources; it represents an interconnected ecological framework that supports human survival, economic activity, and social development. Contemporary environmental discourse adopts a holistic perspective, recognising that disturbances in one component of the ecosystem can have far-reaching consequences for human well-being and ecological balance

In India, the legal understanding of the environment is reflected in the provisions of the Environment (Protection) Act, 1986, which defines the environment to include water, air, land, and the interrelationship that exists among these elements and human beings, other living creatures, plants, microorganisms, and property. This broad statutory definition underscores the interconnected nature of ecological systems and highlights the need for an integrated approach to environmental protection (Government of India, 1986).

Human Rights

Human rights are fundamental entitlements that belong to every individual by virtue of being human. They are universal, inalienable, and indivisible, and are intended to ensure conditions necessary for the preservation of human dignity, freedom, equality, and personal development. The modern conception of human rights gained international recognition following the adoption of the Universal Declaration of Human Rights, which affirmed that all human beings are entitled to certain basic rights and freedoms without discrimination of any kind (United Nations, 1948).

Human rights are commonly classified into three broad categories. The first category comprises civil and political rights, including the rights to life, liberty, equality, and participation in public affairs. The second category consists of economic, social, and cultural rights, such as the rights to health, education, work, and an

adequate standard of living. The third category, often referred to as solidarity or collective rights, includes rights associated with peace, development, self-determination, and a healthy environment. In recent decades, environmental rights have increasingly been recognised as an integral component of this third generation of rights because environmental quality directly affects the enjoyment of all other human rights (Ksentini, 1994; Knox, 2018).

Relationship Between Environment and Human Rights

The relationship between environmental protection and human rights is both intrinsic and mutually reinforcing. A healthy environment provides the essential conditions necessary for the enjoyment of fundamental human rights, while the protection of human rights contributes to more effective environmental governance. Increasingly, scholars, courts, and international organisations have acknowledged that environmental degradation is not merely an ecological problem but also a human rights concern because of its direct impact on human life, health, and well-being (Boyle, 2012).

Environmental degradation can adversely affect a wide range of human rights. Air and water pollution may threaten the right to life and health; depletion of natural resources can undermine livelihoods and food security; environmental disasters and climate change may result in displacement, loss of shelter, and increased vulnerability of affected communities. Access to clean drinking water, adequate sanitation, productive land, and a safe living environment has therefore become indispensable for the realization of fundamental human rights. The rights to life, health, food, water, shelter, livelihood, and development are all closely linked to environmental conditions and ecological sustainability.

At the same time, environmental protection is more likely to succeed when it is guided by human rights principles such as public participation, access to information, non-discrimination, accountability, and access to justice. These principles enable individuals and communities to participate in environmental decision-making processes and to seek remedies against environmental harm. Consequently, contemporary environmental governance increasingly adopts a rights-based approach that views environmental sustainability and human rights protection as complementary and mutually dependent objectives. In this sense, environmental protection has evolved from a policy preference into a fundamental prerequisite for human survival, human dignity, and sustainable development (United Nations Human Rights Council, 2021).

International Development of Environmental Human Rights

The recognition of environmental protection as a component of human rights has evolved gradually within international law, reflecting increasing awareness of the interdependence between ecological integrity and human dignity. While early human rights instruments did not explicitly address environmental concerns, successive international conferences and declarations have progressively integrated environmental protection into the human rights framework, ultimately contributing to the emergence of an internationally recognised right to a healthy environment.

Stockholm Conference, 1972: A foundational moment in this development was the United Nations Conference on the Human Environment, which marked the first major international effort to place environmental concerns within a global policy and legal framework. The Stockholm Declaration affirmed that human beings are both the creators and shapers of their environment, which gives them the capacity to transform it positively or negatively. Principle 1 of the Declaration explicitly stated that individuals are entitled to a life of dignity and well-being in an environment of quality that permits a life of dignity and well-being (United Nations, 1972). This articulation is widely regarded as the earliest formal linkage between environmental protection and human rights at the international level.

Rio Declaration, 1992: Two decades later, the United Nations Conference on Environment and Development significantly advanced the normative development of environmental governance through the adoption of the Rio Declaration on Environment and Development. This instrument consolidated key principles that continue

to shape international environmental law. Among the most influential are the principles of sustainable development, intergenerational equity, public participation, the precautionary approach, and the polluter pays principle (United Nations, 1992). These principles collectively reflect a shift from reactive environmental regulation toward preventive and participatory environmental governance, emphasising that environmental protection must be integrated into development planning and decision-making processes.

Paris Agreement, 2015: The international legal framework on environmental protection was further strengthened by the Paris Agreement, adopted under the United Nations Framework Convention on Climate Change. The Paris Agreement represents a collective global response to climate change, aiming to limit global temperature rise and enhance adaptive capacities of states. Although primarily an environmental treaty, it has important human rights implications, particularly in relation to climate justice, intergenerational responsibility, and the protection of vulnerable populations disproportionately affected by climate change (United Nations Framework Convention on Climate Change, 2015). The Agreement reinforces the understanding that climate action is inseparable from the protection of human rights.

The Paris Agreement marked a significant shift from the Kyoto Protocol's approach of differentiated legally binding emission targets towards a system of Nationally Determined Contributions (NDCs), under which all countries voluntarily submit their climate commitments. This transition helped bridge longstanding differences between developed and developing countries regarding the distribution of climate responsibilities. India, under the leadership of Prime Minister Narendra Modi, played an active diplomatic role in the negotiations by advocating climate justice, equity, and the principle of Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC), thereby contributing to the consensus that enabled the adoption of the Paris Agreement.

Glasgow Climate Pact (COP26, UK, 2021): Glasgow Climate Pact is another significant milestone in international efforts to reduce carbon footprint. It called for accelerating efforts to limit warming to 1.5°C, urged countries to strengthen their Nationally Determined Contributions (NDCs), and, for the first time in a COP decision, referred to reducing ("phasing down") unabated coal power and inefficient fossil fuel subsidies.

COP30: The 30th Conference of the Parties (COP30) to the United Nations Framework Convention on Climate Change (UNFCCC), held in Belém, Brazil, in 2025, marked an important stage in advancing the implementation of the Paris Agreement, with particular emphasis on climate finance, adaptation, and support for developing countries. At COP30, India reaffirmed its commitment to the principles of climate justice, equity, and Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC), which have consistently guided its position in international climate negotiations. Representing the concerns of developing countries and the Global South, India emphasized the need for developed nations to fulfil their commitments regarding climate finance, technology transfer, and capacity-building assistance.

India's position at COP30 reflected its broader climate diplomacy and sustainability initiatives, including the International Solar Alliance (ISA), Mission LiFE (Lifestyle for Environment), the Coalition for Disaster Resilient Infrastructure (CDRI), and the Panchamrit commitments announced at COP26, which outline the country's long-term objectives for renewable energy expansion and emissions reduction. India further advocated a balanced approach to climate action that recognizes the developmental needs of emerging economies while promoting environmental sustainability and climate resilience. The discussions at COP30 underscored the continuing importance of international cooperation, equitable burden-sharing, and collective action in addressing the global challenge of climate change.

United Nations Recognition of the Right to a Healthy Environment

A significant milestone in the evolution of environmental human rights was achieved in 2022 when the United Nations General Assembly formally recognised the right to a clean, healthy, and sustainable environment as a human right. This resolution represents an important normative development in international human rights

law, consolidating decades of progressive recognition within international instruments, jurisprudence, and policy frameworks. While not legally binding, it carries substantial moral and political weight and is expected to influence domestic constitutional interpretations, international negotiations, and environmental governance frameworks worldwide (United Nations General Assembly, 2022).

Constitutional Framework in India

The constitutional framework of India provides a robust and multidimensional foundation for environmental protection through a combination of Fundamental Rights, Directive Principles of State Policy (DPSPs), and Fundamental Duties. Although the Constitution does not originally contain an explicit "right to environment," judicial interpretation, supported by constitutional amendments, has progressively transformed environmental protection into an integral component of constitutional governance.

Article 21: Right to Life: Article 21 of the Constitution of India guarantees the protection of life and personal liberty and has been expansively interpreted by the judiciary to include the right to a clean, healthy, and sustainable environment. The Supreme Court of India has consistently held that the "right to life" is not confined to mere animal existence but extends to the right to live with human dignity, which necessarily includes access to a pollution-free environment, clean air, and safe water.

Through a series of landmark decisions, the Court has read environmental dimensions into Article 21, thereby elevating environmental protection to the status of a fundamental right. This interpretative expansion has been a defining feature of Indian environmental jurisprudence and has enabled courts to address issues of pollution, industrial hazards, deforestation, and ecological degradation within a constitutional rights framework.

Directive Principles of State Policy: The Directive Principles of State Policy provide further constitutional grounding for environmental protection by imposing positive obligations on the State.

Article 48A, introduced through the 42nd Constitutional Amendment Act, 1976, directs the State to protect and improve the environment and to safeguard forests and wildlife. Although non-justiciable in nature, this provision has played a crucial role in guiding legislative policy and judicial interpretation towards environmentally responsible governance.

Fundamental Duties: Environmental protection is also embedded in the constitutional duties of citizens under Part IV-A. **Article 51A(g)** imposes a fundamental duty on every citizen of India to protect and improve the natural environment, including forests, lakes, rivers, and wildlife, and to have compassion for living creatures. This provision reflects the constitutional recognition that environmental protection is not solely a governmental responsibility but also a collective civic obligation.

In conjunction with Article 48A, Article 51A(g) reinforces the participatory dimension of environmental governance in India by emphasising that sustainable environmental management requires both state action and citizen engagement.

Judicial Activism and Environmental Jurisprudence in India

The Indian judiciary has played a transformative role in the development of environmental law and human rights jurisprudence through an activist interpretation of constitutional provisions, particularly Article 21. A significant feature of this development has been the liberalisation of locus standi through Public Interest Litigation (PIL), which has enabled courts to address environmental harm as a matter of constitutional concern rather than purely private grievance. This judicial approach has been instrumental in expanding the scope of environmental protection and integrating it within the framework of fundamental rights.

Right to a Pollution-Free Environment: In the landmark case of M.C. Mehta v. Union of India, the Supreme Court of India firmly established that the right to life under Article 21 includes the right to live in a pollution-

free environment. The Court's expansive interpretation of constitutional rights in this case marked a decisive shift towards recognising environmental protection as an essential component of human dignity and constitutional governance. The case also laid the foundation for a series of environmental litigations aimed at controlling industrial pollution and ensuring regulatory compliance.

Oleum Gas Leak Case and Absolute Liability: The Oleum Gas Leak Case further strengthened environmental jurisprudence in India by evolving the principle of absolute liability for industries engaged in hazardous or inherently dangerous activities. Departing from the traditional English rule of strict liability established in *Rylands v. Fletcher*, the Supreme Court held that such enterprises are absolutely liable for harm caused by their operations, without exceptions. This principle significantly enhanced corporate accountability and reinforced the constitutional commitment to environmental protection and public safety.

Subhash Kumar v. State of Bihar: In Subhash Kumar v. State of Bihar, the Supreme Court explicitly recognised that the right to life under Article 21 includes the right to enjoyment of pollution-free water and air. The Court, however, also cautioned that PIL mechanisms must not be misused and should be directed toward genuine public interest concerns. This case thus balanced the expansion of environmental rights with procedural safeguards against frivolous litigation.

Vellore Citizens Welfare Forum Case: A major doctrinal advancement occurred in Vellore Citizens Welfare Forum v. Union of India, where the Supreme Court formally incorporated internationally recognised environmental principles into Indian jurisprudence. The Court expressly adopted the principles of sustainable development, the precautionary principle, and the polluter pays principle as part of domestic environmental law. This judgment is widely regarded as a cornerstone of Indian environmental jurisprudence, as it aligned constitutional interpretation with global environmental norms.

Ganga Pollution Cases: In a series of cases commonly referred to as the Ganga pollution litigation, including actions initiated by M.C. Mehta, the judiciary issued extensive directions for the abatement of pollution in the River Ganga. These interventions included regulation of industrial discharge, monitoring of effluent treatment, and directions to municipal authorities to prevent untreated waste from entering the river system. These cases reflect the judiciary's continuing role in addressing large-scale environmental degradation affecting public health and ecological sustainability.

Public Interest Litigation and Environmental Justice

The evolution of Public Interest Litigation (PIL) has been central to the development of environmental justice in India. By relaxing traditional procedural requirements of standing, the Supreme Court has enabled individuals, civil society organisations, and environmental activists to approach the judiciary on behalf of affected communities and ecosystems. This innovation has democratised access to environmental justice and transformed courts into active arenas for environmental governance.

Through PIL, environmental protection has been reframed as a collective constitutional responsibility rather than an individual grievance. This has significantly strengthened the enforcement of environmental rights and ensured judicial responsiveness to ecological concerns affecting marginalised and vulnerable populations.

CNG Transition and Judicial Environmental Governance (Justice Kuldip Singh Era): A distinctive phase of Indian environmental jurisprudence is associated with judicial leadership in environmental governance, particularly under the stewardship of Justice Kuldip Singh, often referred to as the "Green Judge." His tenure witnessed an assertive interpretation of Article 21 of the Constitution, where environmental protection was treated as an essential component of the right to life, thereby requiring proactive judicial intervention in matters of public health and ecological sustainability.

One of the most significant outcomes of this judicial approach was the transformation of urban transport policy in Delhi through the mandate for the conversion of public transport vehicles from diesel and

petrol to Compressed Natural Gas (CNG). Arising primarily out of ongoing environmental litigation initiated under M.C. Mehta v. Union of India, the Supreme Court directed phased measures to control severe air pollution in the National Capital Region. These directions culminated in the compulsory adoption of CNG for buses, taxis, and auto-rickshaws, marking one of the most ambitious judicially driven environmental reforms in the world.

This intervention is widely regarded as a landmark example of "continuing mandamus," where the Court retained supervisory jurisdiction to ensure compliance with its directions over an extended period. The CNG transition demonstrated how judicial activism can catalyse large-scale policy transformation in situations where executive action is perceived as inadequate or delayed. At the same time, it also highlighted the Court's willingness to engage with complex issues of environmental science, urban planning, and public administration in pursuit of constitutional environmental rights.

Coastal Aquaculture Regulation and Environmental Sustainability: Another important development in Indian environmental jurisprudence relates to the regulation of intensive aquaculture practices along coastal zones. In S. Jagannath v. Union of India, the Supreme Court addressed the environmental consequences of large-scale shrimp farming in ecologically sensitive coastal areas.

The Court observed that unregulated aquaculture activities had led to significant environmental degradation, including salinisation of agricultural land and groundwater, destruction of mangroves, depletion of coastal biodiversity, and adverse impacts on traditional livelihoods dependent on fishing and agriculture. Recognising the fragile nature of coastal ecosystems, the Court invoked the principles of sustainable development and the precautionary approach to regulate such activities.

Accordingly, the Court prohibited intensive and semi-intensive shrimp farming within the Coastal Regulation Zone (CRZ) and directed the restoration of affected ecological areas. It also emphasised the principle that development must not proceed at the cost of environmental destruction and that economic activities must conform to ecological limits.

This judgment is particularly significant because it explicitly linked environmental protection with livelihood rights and intergenerational equity. It reaffirmed that environmental governance in India must balance economic development with ecological preservation and social justice, thereby reinforcing the constitutional vision embedded in Articles 21, 48A, and 51A(g).

The Water (Prevention and Control of Pollution) Act, 1974 represents one of the earliest statutory interventions aimed at addressing environmental degradation in India. The Act was enacted to prevent and control water pollution and to restore the wholesomeness of water resources. It also established institutional mechanisms in the form of Central and State Pollution Control Boards, which are responsible for monitoring water quality, granting consent for industrial discharge, and enforcing compliance with prescribed standards. This legislation marked the beginning of a regulatory approach to environmental governance in India, particularly in relation to industrial effluents and urban wastewater management (Government of India, 1974).

Air (Prevention and Control of Pollution) Act, 1981: The Air (Prevention and Control of Pollution) Act, 1981 was enacted to address the growing problem of air pollution arising from industrial emissions, vehicular pollution, and rapid urbanisation. The Act empowers Pollution Control Boards to set air quality standards, regulate emissions, and declare air pollution control areas. It provides a legal framework for controlling harmful pollutants and ensuring that development activities comply with environmental safeguards. The legislation reflects an early recognition of air quality as a matter of public health and environmental justice (Government of India, 1981).

Environment (Protection) Act, 1986: The Environment (Protection) Act, 1986 is considered the cornerstone of environmental legislation in India. Enacted in the aftermath of the Bhopal Gas Tragedy of 1984, one of the world's worst industrial disasters, the Act was designed as an umbrella law to provide comprehensive protection and improvement of the environment. It grants wide-ranging powers to the Central Government to regulate environmental pollution, set standards, restrict industrial operations in sensitive areas, and coordinate

the activities of various regulatory authorities. The Act also serves as the primary legal basis for framing rules and notifications related to hazardous waste management, environmental impact assessment, and pollution control measures (Government of India, 1986). Its enactment marked a significant shift towards preventive environmental regulation and centralised environmental governance.

Forest Conservation Act, 1980: The Forest Conservation Act, 1980 was enacted to curb the rapid diversion of forest land for non-forest purposes and to ensure the conservation of forest resources. The Act restricts the de-reservation of forests and the use of forest land for non-forest activities without prior approval from the Central Government. This legislation reflects the recognition of forests as essential ecological resources that play a crucial role in maintaining biodiversity, regulating climate, and supporting the livelihoods of forest-dependent communities. It also reinforces the principle that environmental protection must be integrated into developmental planning processes (Government of India, 1980).

Biological Diversity Act, 2002: The Biological Diversity Act, 2002 was enacted to give effect to India's commitments under the Convention on Biological Diversity. The Act aims to conserve biological diversity, promote sustainable use of biological resources, and ensure fair and equitable sharing of benefits arising from their utilisation. It establishes institutional structures such as the National Biodiversity Authority, State Biodiversity Boards, and Biodiversity Management Committees at the local level. This decentralised framework reflects a rights-based and participatory approach to biodiversity governance, recognising the role of indigenous and local communities in conservation and sustainable resource management (Government of India, 2002).

National Green Tribunal Act, 2010: The National Green Tribunal Act, 2010 established the National Green Tribunal (NGT) as a specialised judicial body for the speedy and effective resolution of environmental disputes. The Tribunal has jurisdiction over civil cases involving substantial questions relating to the environment, including enforcement of environmental rights and implementation of statutory obligations under environmental laws. It is guided by the principles of sustainable development, precautionary principle, and polluter pays principle. The creation of the NGT reflects India's commitment to strengthening environmental adjudication and ensuring access to environmental justice through specialised institutional mechanisms (Government of India, 2010).

Consolidated Analytical Insight

Collectively, these legislative instruments demonstrate the gradual evolution of India's environmental governance from sector-specific regulation to a comprehensive legal framework grounded in constitutional principles and international environmental norms. They also reflect the increasing convergence between environmental protection and human rights, particularly through judicial interpretation and statutory recognition of sustainable development, public accountability, and ecological integrity.

Environmental Challenges in India

Despite a robust constitutional framework, an expanding body of environmental legislation, and an active judiciary, India continues to face severe and multifaceted environmental challenges. These challenges are deeply intertwined with patterns of development, urbanisation, industrial growth, and socio-economic inequality, and they significantly impact the realisation of constitutionally protected human rights, particularly the rights to life, health, and livelihood under Article 21.

Air Pollution: Air pollution remains one of the most pressing environmental and public health challenges in India. Several Indian cities consistently rank among the most polluted urban centres globally, reflecting high concentrations of particulate matter and other harmful pollutants. The primary sources of air pollution include vehicular emissions, industrial discharge, construction activities, biomass burning, and the widespread use of fossil fuels for energy production.

This environmental degradation has serious implications for public health, contributing to respiratory illnesses, cardiovascular diseases, and reduced life expectancy. From a human rights perspective, severe air pollution directly undermines the right to life with dignity and the right to health, both of which have been read into Article 21 by the Supreme Court of India through an expansive constitutional interpretation.

Water Pollution: Water pollution presents another critical environmental concern, affecting both surface and groundwater resources across the country. Rivers, lakes, and aquifers are increasingly contaminated by untreated industrial effluents, domestic sewage, agricultural runoff, and improper waste disposal practices.

The degradation of water quality has far-reaching consequences for drinking water safety, sanitation, agriculture, and ecosystem sustainability. In many regions, polluted water sources disproportionately affect rural populations and urban slum communities, thereby reinforcing existing socio-economic inequalities and raising serious environmental justice concerns.

Deforestation and Biodiversity Loss: India's rich forest cover and biodiversity are under continuous pressure due to rapid urban expansion, mining activities, infrastructure development, and land-use change. Deforestation leads not only to habitat destruction and loss of biodiversity but also disrupts ecological balance, affects rainfall patterns, and contributes to climate instability.

The loss of biodiversity has significant implications for indigenous knowledge systems and traditional livelihoods, particularly those of forest-dependent communities. This environmental degradation undermines both ecological security and cultural rights, highlighting the interconnected nature of environmental protection and human rights.

Climate Change: Climate change represents a global environmental crisis with particularly severe consequences for developing countries like India. The country is increasingly experiencing extreme weather events such as heat waves, floods, cyclones, droughts, and rising sea levels.

These climate-related impacts disproportionately affect economically and socially vulnerable populations who have limited adaptive capacity. Climate change thus operates not only as an environmental issue but also as a human rights concern, affecting food security, housing, health, water availability, and livelihood stability. It also raises issues of intergenerational equity, as future generations are likely to bear the long-term consequences of present environmental degradation.

Environmental Inequality: One of the most significant dimensions of environmental degradation in India is its unequal distribution across different sections of society. Environmental harms are not experienced uniformly; rather, they disproportionately affect marginalised and vulnerable communities, including tribal populations, rural poor, and urban slum dwellers.

In many cases, large-scale development projects such as mining operations, dams, and industrial corridors have led to the displacement of indigenous and tribal communities, resulting in the loss of land, livelihoods, and cultural identity. This phenomenon reflects a clear intersection between environmental degradation and social injustice, often described as "environmental inequality" or "environmental injustice."

From a human rights perspective, such outcomes raise serious concerns regarding the right to life, livelihood, culture, and development. They also challenge the principle of equitable and sustainable development, which lies at the heart of both constitutional environmental jurisprudence and international environmental law.

Taken together, these environmental challenges demonstrate that legal and institutional frameworks alone are insufficient unless effectively implemented and supported by strong governance, public participation, and equitable development policies. They also reinforce the central argument of this paper: that environmental protection is inseparable from the protection of fundamental human rights in India.

Environment, Sustainable Development, and Human Rights

The concept of sustainable development represents a normative framework that seeks to reconcile the objectives of economic growth, environmental protection, and social equity. It emerged as a response to the

recognition that unregulated industrialisation and resource exploitation can undermine ecological stability and thereby threaten both present and future human well-being. Within this framework, development is not understood merely in terms of economic expansion, but as a multidimensional process that must ensure the protection of environmental integrity and the realization of fundamental human rights.

A widely accepted formulation of sustainable development defines it as development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs (World Commission on Environment and Development, 1987). This definition highlights the principle of intergenerational responsibility, which has become a central tenet of modern environmental governance and human rights discourse. It also underscores the ethical obligation of present societies to ensure that environmental degradation does not impose irreversible costs on future generations.

Sustainable development is generally understood to rest on four interrelated dimensions. The first is **environmental sustainability**, which focuses on the conservation of ecological systems, biodiversity, and natural resources to maintain life-supporting environmental functions. The second is **social equity**, which emphasises fairness in the distribution of environmental benefits and burdens, particularly with respect to vulnerable and marginalised communities. The third is **economic development**, which recognises the necessity of growth and industrial progress but insists that such development must remain within ecological limits. The fourth is **intergenerational justice**, which requires that developmental activities today should not degrade environmental conditions for future generations, thereby linking sustainability directly to ethical and human rights considerations.

In the Indian context, the principle of sustainable development has been progressively integrated into constitutional interpretation, legislative frameworks, and judicial decision-making. The Supreme Court of India has consistently invoked sustainable development as a guiding principle in environmental adjudication, particularly in cases involving industrial pollution, natural resource management, and ecological conservation. This approach reflects an attempt to harmonise economic development with environmental protection, ensuring that developmental policies remain consistent with the constitutional mandate under Articles 21, 48A, and 51A(g).

Thus, sustainable development in India has evolved beyond a policy objective to become a guiding principle of environmental governance and human rights protection, shaping both judicial reasoning and administrative decision-making in matters affecting ecological and social well-being.

Role of Civil Society and Environmental Movements

Civil society and environmental movements have played a crucial role in shaping environmental consciousness and strengthening environmental governance in India. Beyond state institutions and judicial intervention, grassroots mobilisation, non-governmental organisations, and people's movements have significantly contributed to the evolution of environmental protection as a public concern closely linked with human rights, livelihood security, and social justice. These movements have also acted as a corrective force in cases where development projects have led to ecological degradation and displacement of vulnerable communities.

One of the most influential environmental movements in India is the Chipko Movement, which emerged in the 1970s in the Himalayan region. Led largely by rural communities, particularly women, the movement involved the non-violent act of hugging trees to prevent deforestation by commercial loggers. It highlighted the dependence of local populations on forests for fuel, fodder, and livelihood, thereby linking forest conservation with survival and subsistence rights. The Chipko Movement became a symbol of ecological resistance and is widely regarded as a foundational example of eco-feminism and community-based environmental protection in India.

The Narmada Bachao Andolan represents another significant environmental and social justice movement. It emerged in opposition to large dam projects on the Narmada River, which involved the displacement of thousands of tribal and rural communities. The movement raised critical concerns regarding

rehabilitation, environmental sustainability, and the rights of affected populations. It brought into focus the tension between large-scale developmental projects and the protection of human rights, particularly the rights to livelihood, land, and cultural identity.

The Silent Valley Movement in Kerala played a pivotal role in preventing the construction of a hydroelectric project that threatened one of the most ecologically sensitive rainforest ecosystems in India. The movement led to the declaration of Silent Valley as a national park, thereby preserving its rich biodiversity. It demonstrated the importance of scientific ecological assessment combined with public participation in environmental decision-making.

Similarly, the Save Western Ghats campaigns have focused on protecting one of the world's biodiversity hotspots from unregulated mining, deforestation, and infrastructure expansion. These campaigns have emphasised the ecological importance of the Western Ghats region and the need for sustainable development practices that respect ecological limits and protect indigenous communities.

Collectively, these environmental movements illustrate the central role of civil society in advancing environmental protection in India. They have contributed to greater environmental awareness, influenced public policy, and reinforced the link between environmental conservation and fundamental human rights. Importantly, they demonstrate that environmental governance is not solely a top-down legal process but also a participatory social process rooted in democratic engagement and collective action.

Suggestions and Recommendations

In order to strengthen the integration of environmental protection and human rights in India, a series of institutional, policy, and societal measures are necessary. Effective enforcement of existing environmental laws must be prioritised through stronger regulatory oversight and accountability mechanisms, particularly within Pollution Control Boards and related agencies. At the same time, environmental education and awareness should be promoted at all levels to foster a culture of ecological responsibility and civic participation. Industrial development must increasingly align with sustainable and clean production practices, including the wider adoption of renewable energy sources and low-carbon technologies.

Equally important is the need to ensure meaningful participation of local communities in environmental decision-making processes, in line with principles of environmental democracy and procedural justice. Special attention must be given to the protection of indigenous and tribal populations, whose livelihoods and cultural identities are often closely tied to natural ecosystems. Improvements in waste management systems and pollution control mechanisms are essential to address the growing environmental burden in urban and industrial regions. In addition, enhancing climate resilience and disaster preparedness has become imperative in view of the increasing frequency of extreme weather events.

Finally, strengthening environmental institutions such as Pollution Control Boards and the National Green Tribunal is crucial for ensuring timely and effective environmental adjudication. Across all these measures, the integration of human rights principles into environmental governance remains essential, ensuring that environmental protection is not treated merely as a regulatory objective but as a fundamental component of constitutional and human rights protection in India.

Conclusion

The relationship between environment and human rights is both intrinsic and inseparable, as environmental conditions form the foundation upon which human life, dignity, health, and development depend. Environmental degradation, in its various forms, directly undermines the enjoyment of fundamental human rights and disproportionately affects vulnerable sections of society. In this context, environmental protection can no longer be viewed as a peripheral policy concern but must be understood as an essential dimension of human rights protection.

In India, the evolution of environmental jurisprudence reflects a dynamic interplay between constitutional provisions, legislative frameworks, judicial interpretation, and civil society participation. Although the Constitution of India did not originally recognise an explicit right to a healthy environment, the combined effect of Articles 21, 48A, and 51A(g), along with progressive judicial interpretation, has firmly established environmental protection as a core constitutional value. The Supreme Court's expansive reading of Article 21, in particular, has transformed the right to life into a broad and enforceable guarantee that includes the right to a clean, healthy, and sustainable environment.

Despite these significant legal and institutional developments, India continues to face serious environmental challenges arising from rapid industrialisation, urbanisation, climate change, pollution, and ecological degradation. These challenges highlight the gap between constitutional ideals and ground-level implementation, underscoring the need for more effective enforcement mechanisms and integrated policy approaches.

Ultimately, India's path towards sustainable development must be guided by the interrelated principles of environmental sustainability, social justice, and human dignity. Environmental protection is not merely a matter of statutory compliance or administrative regulation; it is a constitutional imperative and a moral responsibility owed to both present and future generations. Ensuring environmental justice, therefore, remains essential for the realisation of a truly inclusive and sustainable developmental framework in India.

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